

was through no knowledge or fault of his and that he was ignorant thereof, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of all the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act, conditioned in part that if the product should be sold or disposed of in any form the branding thereof should describe the same accurately and correctly.

E. D. BALL, *Acting Secretary of Agriculture.*

**7793. Misbranding of Planten's C & C or Black Capsules. U. S. \* \* \* v. 313 Cartons \* \* \* Planten's C & C or Black Capsules \* \* \*. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 10448. I. S. No. 2908-r. S. No. W-385.)**

On June 4, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 313 cartons of Planten's C & C or Black Capsules, at Sacramento, Calif., alleging that the article had been shipped on October 31, 1918, by H. Planten & Son, Brooklyn, N. Y., and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of gelatin capsules containing a mixture of copaiba and essential oils, including cubeb, cinnamon and probably traces of eucalyptus and turpentine.

Misbranding of the article was alleged in substance in the libel for the reason that it was labeled in part on the cartons and in the booklets inclosed therein as a treatment of private diseases of men, useful in restoring a healthy condition of the mucous membranes of the genito-urinary tract and for the treatment of chronic and acute gonorrhœa, gleet, and urethritis, whereas the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it, and the statements on the cartons and in the booklets were false and fraudulent. Misbranding was alleged for the further reason that said cartons contained a booklet, a copy of which was attached to the libel as an exhibit by the United States attorney and made a part thereof, which said booklet contained statements, regarding the curative and therapeutic effects of the article and the ingredients and substances contained therein, which were false and fraudulent for the reason that said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for the said article therein.

On October 11, 1919, the said H. Planten & Son, Brooklyn, N. Y., having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be redelivered to said claimant upon payment of the costs of the proceeding and the execution of a bond in the sum of \$200, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7794. Adulteration of dried skimmed milk. U. S. \* \* \* v. 2 Barrels \* \* \* of a Product Purporting to be Dried Skimmed Milk. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8582. I. S. No. 8838-p. S. No. C-756.)**

On November 12, 1917, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and con-